

Atty. Docket No. WRA 97-09F2CON2
Appl. No. to be assigned

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas J. Balkin et al.
Serial No. : to be assigned Examiner: to be assigned
Filed : January 15, 2004 Group Art Unit: to be assigned
For : METHOD AND SYSTEM FOR PREDICTING HUMAN COGNITIVE
PERFORMANCE

LETTER

U.S. Patent & Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Filed concurrently with this letter is a new utility patent application. The purpose of this letter is to notify the U.S. Patent & Trademark Office that certain of the claims included in the concurrently filed application are copied from U.S. Patent No. 6,579,233 (hereinafter "'233 patent") to Steven Rawlings Hursh, which published on January 16, 2003 as U.S. Patent Application No. 2003/0013943, and U.S. Patent Application No. 2003/0018242 A1 (hereinafter "'242 publication") to Hursh et al., which published on January 23, 2003.

Claims 4-7, 9-13, 17-20 are copied from claims 1-4, 13, 14, 18, 19, 21, 31-33, 37 of the '233 patent. Claim 8 is similar to claim 6 of the '233 patent except that the time of day function discussed in the instant application is inserted for the circadian oscillator equation of claim 6. Claims 14-16 are similar to claims 25, 26, and 28, respectively, of the '233 patent but the "determining the person's sleep debt" step recited in claim 25 is not recited in claim 14. Claims 21 and 22 are similar to claims 45 and 47, respectively, of the '233 patent but the "determining the person's sleep debt" step recited in claim 45 is not recited in claim 21.

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Claims 23-29 are copied from claims 1, 7, 13, 14, 18, 22, and 24, respectively, of the '242 publication. Although "a graphical user interface" has been changed to "an interface" in claim 23. Claims 30-34 are copied from claims 25, 31, 37, 38, and 42, respectively, of the '242 publication.

Respectfully submitted,
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